



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

222

**CRM-M No.29369 of 2024
Date of decision : 3.7.2024**

Ranjit Singh**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. BBS Randhawa, Advocate, for the petitioner

Mr. J.S. Rattu, DAG, Punjab

SANDEEP MOUDGIL, J (ORAL)

This petition under section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No.6 dated 25.1.2024 under Sections 308, 323, 148 and 149 of IPC (Section 452 IPC added later on), registered at Police Station Qila Lal Singh, Police District Batala.

2. Learned counsel for the petitioner contends that the only injury attributed to the petitioner is with the reverse side of datar on the left leg which has been declared simple in nature. It is on that ground, he prays for release on regular bail after having incarcerated for more than 4 months by now. Investigation is complete and no fruitful purpose will be served by keeping the petitioner behind the bars.

3. Learned State counsel at the same time has produced the custody certificate of the petitioner and is also not in a position to controvert the fact that the petitioner has given a blow on the left leg from the reverse side of datar, which caused injury no.3 as per medical legal report and the same has been declared simple in nature

4. Having heard learned counsel for the parties, this Court has given considerable thought on statements particularly the fact that injury no.3 attributed to the petitioner was with the reverse side of datar and the



same has been declared simple in nature, therefore, offence under Section 308 IPC could not be attracted against him.

5. Apart from that, after having completed the investigation, challan stands filed on 30.3.2024 with the list of total 16 prosecution witnesses, wherein next date is 8.7.2024. As the charges are yet to be framed, the trial is prolonged and likely to take long time and detaining the petitioner behind the bars for an indefinite period would amount to violation of Article 21 of the Constitution of India, wherein bail is a rule and jail is an exception and it would also violate the principle of right to speedy trial and expeditious disposal under Article 21 of Constitution of India, as has been time and again discussed by this Court, while realising the judgment of the Apex Court passed in **Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131.**

6. In view of the aforesaid discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. The petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

3.7.2024
Ashwani

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No